

Practitioner's Docket No. KLR: 7146.008

#19
m
9-4-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Westerman, Larry

Group Art Unit: 2721

Serial No.: 08/985,576

Examiner: Mr. Desire

Filed : December 5, 1997

Title : DOCUMENT CLASSIFICATION SYSTEM

RECEIVED

AUG 31 2001

Technology Center 2600

Chernoff, Vilhauer, McClung & Stenzel, L.L.P.
1600 ODS Tower
601 SW Second Avenue
Portland, Oregon 97204
Telephone No. (503) 227-5631
FAX No. (503) 228-4373

August 28, 2001

Commissioner for Patents
Washington, DC 20231

REPLY BRIEF ON BEHALF OF APPELLANT

Dear Sir:

REPLY

With respect to the Examiner Answer of July 3, 2001 the Examiner makes several assertions.

Claim 1 Subsection (B)

Apparently the Examiner asserts in claim rejection section (B) that FIG. 6 of Yamasaki shows an image plane 66 having detection region 68 containing multiple pixel points. While the detection region 68 contains multiple points each of these points are not observed by the viewer for the eye gaze system, as briefly discussed below.

As noted in the applicant's brief, the device includes a gazing point P (see FIG. 2A) that is a single point moved to a position near an object OBJ by the operator.

Turning the switch on superimposes a moving body detection zone of large area, based on a region around the single gazing point P that the viewer observes (See FIG. 2B). Next the moving body area is specified and the tracking operation is started (see FIG. 2C). Accordingly, as taught by Yamasaki the viewer observes the single gazing point P. To clarify, the detection region 68 is a region superimposed by the system based upon the tracking operation and not a set of pixels that the viewer observes with the eye gaze system. Accordingly, the viewer taught by Yamasaki observes a single point with the eye gaze system.

Claim 2 Subsection (C)

Apparently the Examiner asserts in claim rejection section (C) that region s1 and has some association with the image.

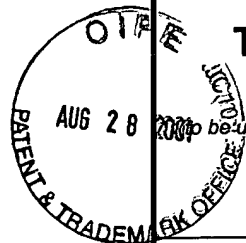
As explained in the applicant's brief the s1 region is used for global motion detection and has no association with the eye gaze system nor does the viewer observe the s1 region. Claim 1 claims that the image system associates said at least one image with said each of said multiple points of said non-closed loop portion of said at least one image. Accordingly, the multiple points, which are the points observed by the viewer, are associated with the image. Yamasaki fails to teach associating multiple points from the eye gaze system that the viewer observes with the image.

Respectfully submitted,



Kevin L. Russell
Reg. No. 38,292
Attorney for Applicants

08-30-00 AD

AF
2621

TRANSMITTAL FORM

to be used for all correspondence after initial filing)

Application Number 08/985,576

Filing Date December 5, 1997

First Named Inventor Westerman

Group Art Unit 2621

Examiner Name Desire, G.

Total Number of Pages in this Submission

Attorney Docket Number KLR: 7146.008

RECEIVED

AUG 31 2001

Technology Center 2600

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee transmittal <input type="checkbox"/> Fee attached form <input type="checkbox"/> Amendment <input type="checkbox"/> After Final/ Response <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing Related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosures (identify below) Acknowledgment Postcard
--	--	--

Remarks:

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	CHERNOFF, VILHAUER, McCLUNG & STENZEL LLP
Signature	Kevin L. Russell
Date	August 28, 2001

CERTIFICATE OF MAILING

I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231

☐ with sufficient postage as first class mail

☒ as "Express Mail Post Office to Addressee" - mailing label no. EL744772047US

Type or print name Kevin L. Russell

Signature

Date August 28, 2001